

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

MARK ROSS,

Plaintiff,

-against-

NEW YORK CITY; DEPARTMENT OF  
CORRECTIONS,

Defendants.

24-CV-9475 (LTS)

ORDER

LAURA TAYLOR SWAIN, Chief United States District Judge:

Plaintiff Mark Ross brings this action *pro se*. In the complaint, he includes two sets of facts, each written in different handwriting. The first set of facts concerns nonparty, Andre Antrobus, a plaintiff in several actions filed in this court who recently filed two new actions on his own behalf. *See Antrobus v. Dep't of Corrs.*, ECF 1:24-CV-9474, 1 (S.D.N.Y.); *Antrobus v. Dep't of Corrs.*, ECF 1:24-CV-9471, 1 (S.D.N.Y.). The second set of facts appears to concern incidents specific to Ross. On the envelope used to mail the complaint, a second nonparty, David Cruz Rodriguez, wrote his name and address in the section of the envelope intended for the sender's address.

**CONCLUSION**

Because it is not clear from Ross's complaint that he intended to bring this action on his own behalf, the Court directs him to sign the attached signature page, titled "Plaintiff's Certification and Warnings," label the document with docket number 24-CV-9475 (LTS), and submit the document to the Court within 30 days of the date of this order.

No summons shall issue at this time. If Plaintiff complies with this order, the case shall be processed in accordance with the procedures of the Clerk's Office. If Plaintiff fails to comply

with this order within the time allowed, the action will be dismissed without prejudice to Ross's filing any future action regarding the allegations he sets forth in this action.

The Court certifies under 28 U.S.C. § 1915(a)(3) that any appeal from this order would not be taken in good faith, and therefore IFP status is denied for the purpose of an appeal. *Cf. Coppedge v. United States*, 369 U.S. 438, 444–45 (1962) (holding that appellant demonstrates good faith when seeking review of a nonfrivolous issue).

SO ORDERED.

Dated: December 17, 2024  
New York, New York

/s/ Laura Taylor Swain  
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LAURA TAYLOR SWAIN  
Chief United States District Judge

**VII. PLAINTIFF'S CERTIFICATION AND WARNINGS**

By signing below, I certify to the best of my knowledge, information, and belief that: (1) the complaint is not being presented for an improper purpose (such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation); (2) the claims are supported by existing law or by a nonfrivolous argument to change existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Federal Rule of Civil Procedure 11.

I understand that if I file three or more cases while I am a prisoner that are dismissed as frivolous, malicious, or for failure to state a claim, I may be denied *in forma pauperis* status in future cases.

I also understand that prisoners must exhaust administrative procedures before filing an action in federal court about prison conditions, 42 U.S.C. § 1997e(a), and that my case may be dismissed if I have not exhausted administrative remedies as required.

I agree to provide the Clerk's Office with any changes to my address. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Each Plaintiff must sign and date the complaint. Attach additional pages if necessary. If seeking to proceed without prepayment of fees, each plaintiff must also submit an IFP application.

Dated	Plaintiff's Signature
First Name	Middle Initial
	Last Name
Prison Address	
County, City	State
	Zip Code

Date on which I am delivering this complaint to prison authorities for mailing: \_\_\_\_\_